

Russell  
Shofner  
Strauss

Vick  
Wagonseller

Absent

Carney  
Hazlewood  
Hudson  
Kelley of Hidalgo

Moore  
Tynan  
Weinert

Absent—Excused

Fuller

#### House Bills on First Reading

The following bills, received from the House, were read first time and were referred to the committee indicated:

H. B. No. 776, To Committee on Criminal Jurisprudence.

H. B. No. 749, To Committee on Counties and County Boundaries.

#### Motion to Place House Bill 540 on Second Reading

Senator Vick asked unanimous consent to suspend the regular order of business and that H. B. No. 540 be laid out for consideration at this time.

There was objection.

Senator Vick then moved to suspend the regular order of business and that H. B. No. 540 be laid out for consideration at this time.

Senator Phillips raised the point of order that H. B. No. 540 had been ordered printed but copies had not been on the desks of each Senator for twenty-four hours as required under Senate Rule 38.

The President sustained the point of order.

#### Motion to Not Print House Bill 540

Senator Vick asked unanimous consent that H. B. No. 540 be not printed.

There was objection.

Senator Vick then moved that H. B. No. 540 be not printed.

Pending discussion of the motion to not print by Senator Phillips, Senator Carney moved the Senate stand adjourned until 10:30 o'clock a. m. on Monday, May 7, 1951.

The motion was lost by the following vote:

Yeas—11

Bracewell	Lock
Bullock	Parkhouse
Carney	Phillips
Carter	Shofner
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	

Nays—13

Aikin	McDonald
Ashley	Moffett
Bell	Nokes
Corbin	Russell
Hardeman	Strauss
Lane	Vick
Martin	

Absent

Colson	Moore
Hazlewood	Tynan
Hudson	Weinert

Absent—Excused

Fuller

Pending further discussion by Senator Phillips of the motion to not print H. B. No. 540, Senator Lock moved that the Senate stand adjourned until 10:30 o'clock a. m. on Monday, May 7, 1951.

The motion was lost.

#### Adjournment

Senator Vick moved the Senate stand adjourned until 10:30 o'clock a. m. tomorrow.

Senator Lock moved the Senate stand adjourned until 10:30 o'clock a. m. on Monday, May 7, 1951.

Question first recurring on the motion of Senator Lock, it prevailed.

Accordingly, the Senate at 4:14 o'clock p. m. adjourned until 10:30 o'clock a. m. on Monday, May 7, 1951.

#### Record of Votes

Senators Phillips and Corbin asked to be recorded as voting "Nay" on the motion to adjourn.

#### SIXTY-FIFTH DAY

(Monday, May 7, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	Weinert

**Absent—Excused**

Hudson

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 3, 1951, was dispensed with and the Journal was approved.

**Leave of Absence**

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Aikin.

**Senate Concurrent Resolution 56  
on First Reading**

Senator Bracewell moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Martin
Ashley	McDonald
Bell	Moffett
Bracewell	Moore
Bullock	Nokes
Carney	Parkhouse
Carter	Phillips
Colson	Russell
Corbin	Shofner
Hardeman	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Wagonseller
Lock	Weinert

**Absent**

Fuller                      Hazlewood

**Absent—Excused**

Hudson

The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 56, Giving Mrs. O. S. Bishop et al. permission to sue the State.

Whereas, On or about June 10, 1949, Mr. and Mrs. O. L. Bishop of Abilene, Taylor County, Texas; Mr. and Mrs. O. S. Bishop of Hamlin, Jones County, Texas; Mrs. Elsie Bolin of Corpus Christi, Nueces County, Texas, and her minor daughter, Tena Bolin, were involved in an automobile upset on U. S. Highway 80, approximately fifteen (15) miles west of the City of Abilene, Taylor County, Texas, by reason of an unguarded and unmarked excavation of the shoulder along said highway, left unguarded by the employees of the Highway Department of the State of Texas; resulting in death to the said Mr. and Mrs. O. L. Bishop and the said Mr. O. S. Bishop, and serious bodily injury to Mrs. O. S. Bishop, Mrs. Elsie Bolin and her minor daughter, Tena Bolin; and

Whereas, Mrs. O. S. Bishop of Hamlin, Jones County, Texas; Mr. and Mrs. H. W. Bolin of Corpus Christi, Nueces County, Texas; A. D. Bishop of Seagraves, Gaines County, Texas; R. T. Bishop of Trent, Taylor County, Texas; and Mr. and Mrs. R. P. Vessels of Houston, Harris County, Texas; desire to bring suit against the State of Texas for damages sustained by reason of said accident; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that Mrs. O. S. Bishop of Hamlin, Jones County, Texas; Mr. and Mrs. H. W. Bolin of Corpus Christi, Nueces County, Texas; A. D. Bishop of Seagraves, Gaines County, Texas; R. T. Bishop of Trent, Taylor County, Texas; and Mr. and Mrs. R. P. Vessels of Houston, Harris County, Texas, are hereby granted permission to bring suit in any court in Taylor County, Texas, having jurisdiction of the amount in controversy against the State of Texas or the Highway Department of the State of Texas, to determine whether the injuries and damages sustained as above alleged were due to the negligence of the employees of the State of Texas or the Highway Department of the State of Texas,

and to determine fully the amount of damages if any occasioned by the death and injuries to the parties above named directly and proximately resulting from such negligence of the employees of the State of Texas or the Highway Department of the State of Texas; and be it further

Resolved, That service of citation and all other necessary process may be had upon the Governor of the State of Texas, or the Attorney General of the State of Texas at Austin, Texas, and that said suit be directed under the same rules of law and evidence and in like manner as similar suits against private corporations are tried. No admission of liability of the State is made by this resolution, and the facts as set out herein must be proven in court.

The resolution was read and was referred to the Committee on Civil Jurisprudence.

#### Senate Bills on First Reading

The following local bills were introduced, read first time, and referred to the committees indicated:

By Senator Strauss:

S. B. No. 449, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59 of the State Constitution, comprising the territory within the incorporated city of Brookshire in Waller County, Texas; prescribing its powers and duties and providing for a governing body thereof; making the district subject to the statutes relating to water control and improvement districts except as otherwise provided; enacting a saving clause; and declaring an emergency."

To Committee on Water Rights, Irrigation and Drainage.

By Senator Martin:

S. B. No. 450, A bill to be entitled "An Act prohibiting the taking of minnows from the waters of Somervell County, Texas, for the purpose of sale; prohibiting the transportation of any minnows out of said Somervell County for the purpose of sale; providing that it shall be unlawful to have more than two hundred (200) minnows in any vehicle in said Somervell County; providing a penalty; providing that the provisions of this Act shall be cumulative; and declaring an emergency."

To Committee on Counties and County Boundaries.

#### Reports of Standing Committees

Senator Bullock submitted the following report:

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 178, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman

Senator Carter submitted the following reports:

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 450, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARTER, Chairman

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 749, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CARTER, Chairman

Senator Kelley of Hidalgo submitted the following report:

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage to whom was referred S. B. No. 449, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KELLEY of Hidalgo, Chairman

Senator Bell submitted the following report:

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 765, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BELL, Chairman

**Senate Bill 57 With  
House Amendments**

Senator Bell called S. B. No. 57 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Bell moved that the Senate concur in the House amendments.

The motion prevailed.

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 81.

The following have been appointed on the part of the House: Loving Crosthwait, Sewell, Zivley, Spring.

The House has adopted the Conference Committee Report on House Bill No. 24 by a vote of 118 yeas, 0 nays.

H. B. No. 192, A bill to be entitled "An Act relating to uniform reciprocal enforcement of the duties of support imposed by law; stating the purpose of this Act; defining said terms; providing that remedies herein prescribed are in addition to other remedies; prescribing the extent of duties of support; providing for interstate rendition; providing an exception; prescribing duties enforce-

able; prescribing certain remedies of a State or other political subdivision furnishing support; providing the manner in which duties of support are enforceable; providing for petitions; prescribing the duties of the court when this State is initiating State; etc.; and declaring an emergency."

H. B. No. 465, A bill to be entitled "An Act to repeal Senate Bill 314, Acts 41st Legislature, Regular Session, 1929, Chapter 185, concerning the establishment and operation of a State cancer and pellagra hospital; etc.; and declaring an emergency."

H. B. No. 638, A bill to be entitled "An Act amending Section 6 of Article 6008, Revised Civil Statutes, 1925, as amended, relating to the promulgation of rules and regulations by the Railroad Commission, by adding thereto a new subsection to be known as 'Subsection 8' authorizing the Railroad Commission to establish minimum prices for gas at the wellhead from gas wells when necessary to prevent waste or conditions conducive to waste; and declaring an emergency."

H. B. No. 782, A bill to be entitled "An Act providing an open season for deer and turkey and bag and possession limits thereon in Hopkins, Delta, and Franklin Counties; fixing a penalty for violation thereof; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 784, A bill to be entitled "An Act relating to development of a civil defense and disaster relief plan, etc.; and declaring an emergency."

H. B. No. 785, A bill to be entitled "An Act providing that Texas may enter into a compact with any other State for the purpose of mutual helpfulness in meeting any civil defense emergency; etc.; and declaring an emergency."

H. B. No. 322, A bill to be entitled "An Act providing the method for expenditure of funds appropriated to State departments, boards, bureaus, commissions, and other agencies; authorizing the heads of State departments and the governing bodies of boards, bureaus, commissions and other agencies to designate an official or officer to approve and execute vouchers; requiring that vouchers of governing bodies of State boards, bu-

reaus, commissions and other agencies be countersigned by the secretary or by some other officer or official designated for that purpose; requiring that orders designating the official or officer to approve and execute and the official to countersign vouchers be entered on the minutes of governing bodies; requiring that certified copies of such orders be filed with the Comptroller of Public Accounts; requiring heads of departments to make designations in writing to the Comptroller; requiring the filing of signature cards; limiting the application of this Act; and declaring an emergency."

H. B. No. 379, A bill to be entitled "An Act to amend Chapter 32, page 55, Senate Bill No. 94, Acts of the 41st Legislature, Fourth Called Session, 1930, providing for the sale of oil and/or gas in the lands belonging to the Texas State Hospitals and Special Schools; creating a board for the leasing of said lands; prescribing the duties and powers of said board; prescribing the mode and manner of selling oil and/or gas leases in said lands belonging to the Texas State Hospitals and Special Schools; making an appropriation to defray the expense of enforcing said Act; repealing all laws in conflict; and declaring an emergency."

H. B. No. 463, A bill to be entitled "An Act to repeal Senate Bill 78, Acts 46th Legislature, Regular Session, 1939, Title: Eleemosynary Institutions, Chapter 2, concerning a Soldiers' and Sailors' Home."

H. B. No. 464, A bill to be entitled "An Act to repeal House Bill 363, Acts 44th Legislature, Regular Session, 1935, Chapter 341, concerning the Commission of the Volunteer Army of the War with Spain; etc.; and declaring an emergency."

H. B. No. 581, A bill to be entitled "An Act making it unlawful for minors between the ages of fourteen (14) and seventeen (17) years of age to drive or operate an automobile or any other motor vehicle in a reckless manner; at an excessive rate of speed; or while under the influence of intoxicating liquors; defining such offenses; providing a penalty for violation thereof; providing nothing in the Act shall be construed to repeal or affect any Statute regulating powers and duties of Juvenile Courts; and declaring an emergency."

H. B. No. 686, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claims shall be paid from the funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the Attorney General; providing further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

H. B. No. 741, A bill to be entitled "An Act providing Workmen's Compensation Insurance for certain employees of the institutions and agencies under the direction of government of the Boards of Regents of The University of Texas; authorizing the said Board of Regents to require other employees to acquire protection under a group insurance plan; authorizing the said institutions and agencies to be self-insuring; providing that the institutions and agencies shall administer this Act; prescribing the powers and duties of the Industrial Accident Board and of the institutions and agencies; adopting by reference certain Legislative Acts relating to Workmen's Compensation Insurance; etc.; and declaring an emergency."

H. B. No. 772, A bill to be entitled "An Act to fix and regulate the compensation of official shorthand reporters in courts in counties having a population of Eight Hundred Thousand or more according to the last preceding Federal census; authorizing the fixing of salaries by the judges of such courts, prescribing a maximum and a minimum, requiring the entry of orders in relation thereto, requiring the payment thereof by the Commissioners Court, and declaring an emergency."

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 396.

The following have been appointed on the part of the House: Johnson, Maverick, Wisener, Nimitz, Fisk.

The House has concurred in Senate amendments to House Bill No. 326 by vote of 102 yeas, 14 nays.

The House refused to concur in Senate amendments to House Bill No. 52 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The following have been appointed on the part of the House: Swindell, Presnal, McDaniel, Wisener, Wilson.

The House has concurred in Senate amendments to House Bill No. 711 by vote of 118 yeas, 0 nays.

The House has adopted the Conference Committee report on House Bill No. 24 by a vote of 118 yeas, 0 nays.

The House refused to concur in Senate amendments to H. J. R. No. 19 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House has concurred in Senate amendments to House Bill No. 474 by vote of 120 yeas, 0 nays.

The House has adopted the Conference Committee report on Senate Bill No. 38 by a vote of 92 yeas, 12 nays.

The House has adopted the Conference Committee report on House Bill No. 185 by a vote of 121 yeas, 2 nays.

H. B. No. 42, A bill to be entitled "An Act granting the consent of the State of Texas to the acquisition by the United States of land in the State needed for programs and works of improvement in the interest of soil and water conservation and flood control; providing that this Act shall apply only to that portion of the Colorado River watershed and its tributaries from the mouth of the Concho River to and including the San Saba River and lying within Taylor, Callahan, Eastland, Comanche, Mills, Brown, Coleman, Runnels; Concho, McCulloch, Menard, Schleicher, Sutton, Kimble, Mason, and San Saba Counties; providing for certain reservations and restrictions; providing for the payment of certain sums of money to counties and school districts by the Federal Government in lieu of taxes; providing concurrent jurisdiction be retained in the State of Texas over such land in civil and criminal cases regarding the issuance and service of process; providing for authority to promulgate rules and regulations incidental to the control of such lands; and declaring an emergency."

H. B. No. 783, A bill to be entitled "An Act amending Article 52 of the Code of Criminal Procedure of the State of Texas, 1925, as amended, as the same relates to and provides for the Criminal District Court of Dallas County, Texas, and the Criminal District Court No. 2 of Dallas County, Texas; creating Criminal Judicial Districts of Dallas County, Texas; amending Article 199 of the Revised Civil Statutes of the State of Texas, 1925, as amended, as the same relates to and provides for the 14th, 44th, 68th, 95th, 101st, 116th, and 134th Judicial District Courts of Dallas County, Texas; etc.; and declaring an emergency."

H. C. R. No. 84, Proposing that the Texas Legislative Council be requested to study the organization, role and functioning of all law enforcement agencies in the State.

H. C. R. No. 62, Granting H. G. Hodnett et al. permission to sue the State.

H. C. R. No. 57, Granting permission to W. H. Attaway and wife, M. C. Boyd and wife and N. C. Swatsell and wife to sue the State of Texas and the Board for Texas State Hospitals and Special Schools.

H. C. R. No. 34, Granting Dudley Ames and wife, Maud Ames, permission to file and prosecute suit against the State of Texas.

H. C. R. No. 99, Proposing that the Texas Legislative Council be requested to study the maldistribution of judicial work among the district courts.

H. J. R. No. 40, Proposing an amendment to Article III of the Constitution of the State of Texas by adding a new section thereto to be known as Section 48b; authorizing the Legislature to provide for the establishment of cemetery districts; providing for the submission of the proposed amendment to the qualified electorate of this State; providing for proclamation and publication by the Governor; and making an appropriation.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### House Concurrent Resolution 95

On motion of Senator Bell, and by unanimous consent, the President laid

before the Senate for consideration at this time the following resolution:

H. C. R. No. 95, Providing that the Enrolling Clerk of the House of Representatives be instructed to return House Bill No. 560 to the Senate.

The resolution was read and was adopted.

#### House Bill 413 Recommitted

On motion of Senator Lane, and by unanimous consent, H. B. No. 413 was recommitted to the Committee on Finance.

#### House Concurrent Resolution 38 on Second Reading

On motion of Senator Hardeman, and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 38, Expressing the policy of the State of Texas on usage of State funds for the purchase of household furniture and furnishings for family dwelling units of officers and employees of the State.

The resolution was read second time and was adopted.

#### Senate Bill 115 on Second Reading

On motion of Senator Carney, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 115, A bill to be entitled "An Act making appropriation to pay deficiency appropriations granted by the Governor prior to January 9, 1951, and for which no appropriations have heretofore been made; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 115 on Third Reading

Senator Carney moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Parkhouse
Colson	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagon seller
Lane	Weinert

#### Absent

Bracewell	Nokes
Corbin	Phillips

#### Absent—Excused

Hudson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Resolution 212

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the Texas Government Class of Tillotson College, accompanied by their teacher, W. Astor Kirk; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate.

The resolution was read and was adopted.

#### Senate Resolution 213

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery 121 pupils of the Goodwin School, New Braunfels, accompanied by four teachers; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

**Senate Bill 240 on Third Reading**

Senator Hazlewood asked unanimous consent to suspend the regular order of business and that S. B. No. 240 be laid out for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and that S. B. No. 240 be laid out for consideration at this time.

The motion prevailed by the following vote:

**Yeas—23**

Ashley	McDonald
Bell	Moffett
Bracewell	Moore
Bullock	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Vick
Kelley of Hidalgo	Wagonseller
Lock	

**Nays—6**

Aikin	Martin
Carney	Tynan
Lane	Weinert

**Absent**

Kelly of Tarrant

**Absent—Excused**

Hudson

The President laid before the Senate on its third reading and final passage the following bill:

S. B. No. 240, A bill to be entitled "An Act amending the Motor Fuel Tax Law, the same being Article XVII of Chapter 184, Acts Forty-seventh Legislature, Regular Session, 1941, as amended, by adding a new section thereto to be known as Section 13½, so as to provide that licensed retail dealers in motor fuel shall receive a refund of two per cent (2%) of State taxes imposed on motor fuel sold by them to cover losses from taxes paid on shrinkage, evaporation and other losses and expenses incurred in collecting the tax for the State; to provide for the licensing of retail dealers of motor

fuel; to provide a method of computation and payment of such refund and making an appropriation; containing a savings clause, and providing for an emergency."

The bill was read third time.

Senator Lane offered the following amendment to the bill:

Amend S. B. No. 240 in line 33 of page 1 of the printed bill by deleting the words and figures two per cent (2%) and inserting in lieu thereof "one per cent (1%)."

The amendment was lost by the following vote:

**Yeas—11**

Aikin	Moore
Bracewell	Nokes
Carney	Russell
Hardeman	Strauss
Lane	Tynan
Martin	

**Nays—17**

Ashley	McDonald
Bell	Moffett
Bullock	Parkhouse
Carter	Phillips
Corbin	Shofner
Fuller	Vick
Hazlewood	Wagonseller
Kelley of Hidalgo	Weinert
Lock	

**Absent**

Colson Kelly of Tarrant

**Absent—Excused**

Hudson

The bill was then passed by the following vote:

**Yeas—24**

Ashley	Lock
Bell	McDonald
Bullock	Moffett
Carter	Moore
Colson	Nokes
Corbin	Parkhouse
Fuller	Phillips
Hardeman	Russell
Hazlewood	Shofner
Hudson	Strauss
Kelley of Hidalgo	Vick
Lane	Wagonseller

**Nays—7**

Aikin	Martin
Bracewell	Tynan
Carney	Weinert
Kelly of Tarrant	



**Committee To Select Poet Laureate**

The President announced the appointment of the following as a committee pursuant to provisions of S. C. R. No. 25 to select the Poet Laureate: Senators McDonald, Russell and Hazlewood.

**Senate Bill 376 on Second Reading**

On motion of Senator Vick, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 376, A bill to be entitled "An Act authorizing agreements between the State of Texas and the Federal Government to extend coverage under the Federal Social Security Program to State employees, employees of political subdivisions of the State, and employees of joint interstate agencies of Texas now or hereafter eligible under applicable Federal laws; designating the State Department of Public Welfare to administer this Act; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 376 on Third Reading**

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 376 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

Nay—1

Weinert

Absent—Excused

Hudson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Lock
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Strauss
Hardeman	Tynan
Hazlewood	Vick
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	

Nays—2

Martin Weinert

Absent

Shofner

Absent—Excused

Hudson

**Senate Bill 301 on Second Reading**

On motion of Senator Lane, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 301, A bill to be entitled "An Act amending the Motor Fuel Tax Law, Section 2(b), Article XVII of Chapter 184, Acts of the Regular Session of the 47th Legislature, providing that the distributor of motor fuel shall make a deduction when remitting the tax to cover losses and expenses of collecting the tax levied herein and complying with the other provisions of this Article; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 301 on Third Reading**

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 301 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bell	McDonald
Carney	Moffett
Carter	Moore
Colson	Nokes
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Lane	Wagonseller

Nays—3

Bracewell	Weinert
Kelly of Tarrant	

Absent

Bullock	Parkhouse
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 311 on Second Reading

On motion of Senator Bracewell, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 311, A bill to be entitled "An Act creating an additional criminal district court for Harris County; prescribing the jurisdiction thereof; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 311 on Third Reading

Senator Bracewell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 311 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman
Bullock	Hazlewood
Carney	Kelley of Hidalgo
Carter	Kelly of Tarrant

Lane	Phillips
Lock	Russell
Martin	Shofner
McDonald	Strauss
Moffett	Tynan
Moore	Wagonseller
Nokes	Weinert
Parkhouse	

Absent

Vick

Absent—Excused

Hudson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Ashley	McDonald
Bell	Moffett
Bracewell	Moore
Bullock	Nokes
Carney	Parkhouse
Carter	Phillips
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Wagonseller
Lock	Weinert
Martin	

Nays—2

Aikin	Hardeman
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Absent

Hazlewood

Absent—Excused

Hudson

Messages From the Governor

The President laid before the Senate and directed the Secretary to read the following messages from the Governor:

Austin, Texas,  
May 4, 1951.

To the Members of the Fifty-second Legislature:

I am returning to you herewith House Bill No. 470 which I have this day vetoed because same is contrary to Section 56 of Article III of the Constitution of the State of Texas.

I have referred this proposed legislation to the Attorney General of Texas and in an opinion dated May

3, 1951, he has stated that House Bill 470 does contravene above section of the Constitution of Texas.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

Austin, Texas,  
May 3, 1951.

To the Members of the Fifty-second Legislature:

I am returning to you herewith House Bill No. 56 which I have this day vetoed because same is contrary to Section 56 of Article III of the Constitution of the State of Texas.

I have referred this proposed legislation to the Attorney General of Texas and in an opinion dated May 1, 1951, he has stated that House Bill No. 56 does contravene above section of the Constitution of Texas.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

Austin, Texas,  
May 4, 1951.

To the Members of the Fifty-second Legislature:

I am returning to you herewith House Bill No. 256 which I have this day vetoed because same is contrary to Section 56 of Article III of the Constitution of the State of Texas.

I have referred this proposed legislation to the Attorney General of Texas and in an opinion dated May 3, 1951, he has stated that House Bill 256 does contravene above section of the Constitution of Texas.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

Austin, Texas,  
May 7, 1951.

To the Members of the Fifty-second Legislature:

I am vetoing and returning herewith Senate Bill No. 210 for the reason that it repeals the law requiring political subdivisions and municipalities to lease their oil and gas lands on competitive bids and substitutes therefor a ten day notice without competitive bidding.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

The following message, received from the Governor today, was read first time and was referred to the

Committee on Nominations of the Governor:

Austin, Texas,  
May 7, 1951.

To the Members of the Fifty-second Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Board of the San Antonio River Canal and Conservancy District for six-year terms to expire May 5, 1957:

Melrose Holmgreen of San Antonio, Bexar County;

B. B. McGimsey of San Antonio, Bexar County;

John C. Merchant of Floresville, Wilson County.

To be Pecos River Compact Commissioner for six-year term to expire May 5, 1957:

J. C. Wilson of Pecos, Reeves County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

Request of House Granted on House Joint Resolution 19

On motion of Senator Fuller, and by unanimous consent, the request of the House for a Conference Committee on H. J. R. No. 19 was granted.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate: Senators Strauss, Vick, Lane, Carter and Fuller.

Senate Bill 36 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and that S. B. No. 36 be laid out for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and that S. B. No. 36 be laid out for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Carney
Ashley	Colson
Bell	Fuller
Bracewell	Hardeman
Bullock	Hazlewood

Lane	Russell
McDonald	Shofner
Moffett	Strauss
Parkhouse	Vick
Phillips	Wagonseller

Nays—9

Carter	Moore
Kelley of Hidalgo	Nokes
Kelly of Tarrant	Tynan
Lock	Weinert
Martin	

Absent

Corbin

Absent—Excused

Hudson

The President laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 36, A bill to be entitled "An Act prescribing the liability of owners of dogs; authorizing persons bitten or injured by dogs to recover damages from the owner or owners thereof under certain circumstances; making it unlawful to own, harbor or have in custody any dog that bites, injures or attacks a person lawfully upon the property of the scene of the injury; limiting the application of the acts and declaring an emergency."

The bill was read second time.

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend S. B. No. 36 by adding the following language at the end of Sec. 3:

Providing that the terms and provisions of this Act shall not apply to any city or town having a population less than 50,000 inhabitants according to the last Federal census.

Senator Parkhouse moved to table the amendment.

Question—Shall the amendment by Senator Kelley of Hidalgo be tabled?

#### Senate Resolution 214

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Class of the Caldwell High School accompanied by their teachers, Mrs. Steve Schiller and Mr. Mel Skrobanek; and

Whereas, These students and guests are on an educational tour of

the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

#### House Bills on First Reading

The following bills received from the House were read first time and were referred to the committees indicated:

H. B. No. 653—To Committee on Counties and County Boundaries.

H. B. No. 42—To Committee on Counties and County Boundaries.

H. B. No. 638—To Committee on Oil, Gas and Conservation.

#### Reports of Standing Committees

By unanimous consent the following committee reports were submitted at this time:

Senator Aikin submitted the following report:

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 699, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman

Senator Carter submitted the following reports:

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 42, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARTER, Chairman

Austin, Texas,  
May 7, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on County and County Boundaries, to whom was

referred H. B. No. 653, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARTER, Chairman

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 134, A bill to be entitled "An Act changing the name of 'East Texas State Tuberculosis Sanatorium' created by Senate Bill 296, Chapter 344, Acts of the Fiftieth Legislature, Regular Session, 1947, to East Texas Tuberculosis Hospital; providing that all laws heretofore or hereafter enacted by the Legislature applicable or relating to 'East Texas State Tuberculosis Sanatorium' shall be applicable and relate to East Texas Tuberculosis Hospital; etc., and declaring an emergency."

S. B. No. 221, A bill to be entitled "An Act amending Section 7 of Chapter 81 of the Acts of the Regular Session of the 51st Legislature, known as Article 4764c, and declaring an emergency."

S. B. No. 314, A bill to be entitled "An Act to amend Section 7a of House Bill No. 665, Chapter 321 of the Acts of the 51st Legislature, 1949, regulating the method of advertising areas within tidewater limits for lease and declaring an emergency."

S. B. No. 355, A bill to be entitled "An Act providing that the extension of the boundaries of a city after the effective date of Senate Bill 116, Chapter 334, Acts of the Fifty-first Legislature, Regular Session, 1949, so as to include part of a school district shall not affect the eligibility of such district for transportation aid under the provisions of said Senate Bill 116; providing that such districts shall be eligible for transportation aid, including aid for the scholastic year ending in 1951, to the same extent that such district would have been eligible if part thereof had not been annexed by such city; and declaring an emergency."

S. B. No. 300, A bill to be entitled "An Act to amend Article 1919, Revised Civil Statutes of Texas, relating to terms of the district courts, so as to provide for trials of certain

cases by district judges in any county in their respective districts; validating certain orders heretofore entered; and declaring an emergency."

S. B. No. 120, A bill to be entitled "An Act to amend Title 49, Chapter 2, Article 2613, Section 10, of the Revised Civil Statutes of Texas, 1925, providing for the appointment of a State Forester to act as Director of the Texas Forest Service; prescribing the duties of said Director of the Texas Forest Service; providing for cooperation with the Federal Forest Service; and declaring an emergency."

S. B. No. 411, A bill to be entitled "An Act amending Section 5 of Senate Bill 284, Chapter 224, Acts of the 50th Legislature, 1947, codified as Article 2815K-1 of Vernon's Texas Civil Statutes, so as to provide that not more than two trustees elected shall be residents of any one annexed district; and declaring an emergency."

S. B. No. 280, A bill to be entitled "An Act providing that the State ad valorem tax levied under Article 8, Section 1a, of the Constitution of Texas, in the Counties of Nueces, Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval, heretofore donated and granted to the City of Corpus Christi, be paid to said city in an amount sufficient to discharge all obligations payable from such donation and grant, and providing that any excess shall be retained by the said counties for farm to market roads or flood control; prescribing the method of computing the amount due by each county; and declaring an emergency."

S. B. No. 259, A bill to be entitled "An Act to authorize cities and towns on the coast of the Gulf of Mexico to purchase, construct, own, maintain, improve, repair, operate, or lease any wharf, pier, pavilion, dock, harbor or boat basin, and such other facilities as may be deemed advisable in connection therewith, including ferries; authorizing such cities and towns to issue negotiable bonds payable from the income to be derived from the operation of the facilities and negotiable bonds to be payable from an ad valorem tax; providing for the approval of such bonds by the Attorney General and the registration thereof by the Comptroller of Public Accounts; and declaring an emergency."

S. B. No. 393, A bill to be entitled "An Act amending Article I of Senate Bill 115, Chapter 299, Acts of the Fifty-first Legislature, Regular Session, 1949, by adding a new section thereto to be known as Section 4, providing that the central education agency shall have exclusive jurisdiction and control over the State School for the Deaf, etc.; and declaring an emergency."

S. B. No. 130, A bill to be entitled "An Act amending Article 277 of Vernon's Code of Criminal Procedure of the State of Texas, by adding a new section, to be known as Section 2, to provide for disqualification of sureties in misdemeanor cases where they have been in default theretofore; and declaring an emergency."

S. B. No. 108, A bill to be entitled "An Act amending Article 3888, Revised Civil Statutes, 1925, as amended, providing for the minimum and maximum salaries of Ex-officio County Superintendents of Public Instruction and their assistants; providing for office and traveling expenses for such Ex-officio County Superintendents; providing this Act shall become operative on the first day of the month immediately succeeding its effective date; and declaring an emergency."

S. B. No. 242, A bill to be entitled "An Act amending House Bill No. 2, Acts Fifty-first Legislature, First Called Session, 1950, Chapter 1, page 1, by adding thereto a new section to be known as Sec. 2(a)-1 authorizing the State Treasurer to exchange cigarette tax stamps of the old denomination representing taxes paid at the new rate which were presented to the Treasurer for exchange within 120 days from the effective date of said House Bill No. 2 for stamps of the new denomination; and declaring an emergency."

S. B. No. 229, A bill to be entitled "An Act amending Paragraph P of Section 1, Paragraph E of Section 3 and Paragraph A of Section 4 of House Bill 168, Chapter 352, Acts of the Fiftieth Legislature, 1947, defining 'Average Prior Service Compensation'; providing that former employees who return to State service may be eligible for the same retirement benefits as other State employees; providing a method of computing prior service for employees returning to State service; and declaring an emergency."

S. B. No. 78, A bill to be entitled "An Act to amend House Bill No. 805, Acts of the Regular Session of the Forty-ninth Legislature, providing for additional compensation of Judges of District Courts and Criminal District Courts in counties having a population of not less than three hundred and ninety thousand (390,000) nor more than six hundred thousand (600,000) inhabitants, according to the last preceding or any future Federal census; providing the manner of payment thereof; providing that Article 5139, Revised Civil Statutes of Texas of 1925, shall not be repealed except wherein it conflicts herewith, prohibiting, however, the payment of salaries under said article for any month wherein salaries herein provided are paid; and declaring an emergency."

S. B. No. 281, A bill to be entitled "An Act amending Chapter 111, Acts 1933, 43rd Legislature, First Called Session, to define certain words used therein; providing for approval of bonds by the Attorney General and registration by the Comptroller of Public Accounts; making bonds eligible for purchase by certain insurance companies; and declaring an emergency."

S. B. No. 226, A bill to be entitled "An Act amending Section 2 of House Bill 153, Chapter 62, Acts of the Fifty-first Legislature, Regular Session, 1949 (Art. 2688c, Sec. 2, V.C.S.), so as to provide that the salary of ex-officio county superintendents of public instruction covered thereby shall be determined and paid in the amount and manner provided in Article 3888, Revised Civil Statutes of Texas, 1925, as amended; authorizing the county board of school trustees of the respective counties to appoint an assistant ex officio county superintendent and to provide for his salary and office and traveling expenses for the office of the ex officio county superintendent in the manner, extent and from the same funds as set out in Articles 2701 and 3888, Revised Civil Statutes of Texas, 1925, as amended; providing this Act shall become operative on the first day of the month immediately following its effective date; and declaring an emergency."

S. B. No. 207, A bill to be entitled "An Act amending Article 6228b, Section 4, Revised Civil Statutes of Texas, Acts of the Fifty-first Legislature, Regular Session, Title 109,

page 558, providing for the tenure of office of persons who have served on one (1) or more Courts of this State to be changed from twenty-five (25) years to twenty-four (24) years or more so that such persons will be entitled to retirement pay under the provisions of this Act; and declaring an emergency."

S. B. No. 414, A bill to be entitled "An Act transferring Armstrong County from the 47th Judicial District to the 100th Judicial District; reorganizing the 100th Judicial District and the 47th Judicial District and fixing the terms of the district courts thereof; providing that all process and writs issued or served and recognizances, bonds and undertakings entered prior to the effective date of this Act returnable to the District Court of Carson, Hall, Donley, Collingsworth and Childress Counties or to the District Court of Randall, Potter and Armstrong Counties shall be returnable to the District Courts of said counties as reorganized by this Act and in accordance with the terms of said courts fixed by this Act, etc.; and declaring an emergency."

S. B. No. 306, A bill to be entitled "An Act to amend Section 4, Chapter 502, Acts Regular Session, 51st Legislature, so as to authorize the pledging of unused revenues from income-producing buildings for the construction of additions to said buildings or the construction of any other buildings and the purchase of the necessary sites therefor and providing that any subsequent issue of revenue bonds or notes shall be inferior to any outstanding revenue bonds or notes; and declaring an emergency."

S. B. No. 385, A bill to be entitled "An Act amending Chapter 32, Acts of the 43rd Legislature of Texas, Third Called Session, 1934, (Article 7880-90a, Vernon's Texas Civil Statutes); providing different methods for issuing and securing the payment of bonds by certain water control and improvement districts, etc., and declaring an emergency."

S. B. No. 398, A bill to be entitled "An Act authorizing Boards of Directors of Water Control and Improvement Districts to adopt resolutions for the collection of taxes of districts by the county assessor and collector or by the city assessor and collector of an incorporated city or

town in which the district is located, etc.; and declaring an emergency."

S. B. No. 197, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by S. B. No. 211, Chapter 448, page 829, Acts of the 51st Legislature, Regular Session; amending Article 3939, Revised Civil Statutes of Texas, 1925, as amended by S. B. No. 211, Chapter 448, page 829, Acts of the 51st Legislature, Regular Session, providing for the compensation of the assessor and collector of taxes in assessing and collecting State and county and other taxes and for issuing ad valorem tax certificates; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act providing for the disposition of property and choses in action when there is no sufficient evidence that persons have died otherwise than simultaneously; providing this Act shall not apply to distribution of property of persons who have died before the effective date hereof; limiting the application of this Act; repealing all laws or parts of laws in conflict herewith; providing for severability; and declaring an emergency."

S. B. No. 386, A bill to be entitled "An Act authorizing the State Board of Education to combine subjects on recommendation of the State Textbook Committee and the State Commissioner of Education and to adopt textbooks for such combined subjects and providing the manner and method therefor; providing for the length of contracts for textbooks and for renewal and extension of contracts; repealing conflicting laws; providing invalidity of any part of Act shall not affect remaining parts; and declaring an emergency."

S. B. No. 432, A bill to be entitled "An Act making it unlawful to catch or take any type of fish from the waters of Lake Colorado City in Mitchell County for the purpose of sale; providing a penalty for violation of this Act; and declaring an emergency."

S. B. No. 209, A bill to be entitled "An Act to amend Subsection 2 of Section 1, Chapter 451, Acts, Regular Session, 51st Legislature, page 832, Compiled Laws of said Session, creating a Cotton Research Committee and providing for its membership;

prescribing its duties; and declaring an emergency.

S. B. No. 274, A bill to be entitled "An Act relinquishing and granting unto the Port District known as the Port of Beaumont Navigation District of Jefferson County, Texas, the title to the bed and channel of the Neches River in the Port of Beaumont, a part of which has been abandoned by reason of the relocation of the bed or channel of said Neches River; etc.; and declaring an emergency."

S. B. No. 366, A bill to be entitled "An Act amending Subsection 5 of Article 199, Revised Civil Statutes of Texas of 1925, as amended by Chapter 254, Acts 1933, 43rd Legislature, as amended by Chapter 104, Acts 1933, 43rd Legislature, special laws, page 147, as amended by Chapter 159, Acts 1935, 44th Legislature, as amended by Chapter 143, Section 1, Acts 1937, 45th Legislature, as amended by Chapter 3, Acts, 1939, 46th Legislature, and as amended by Chapter 287, Section 1, Acts 1943, 48th Legislature, providing for the terms of court for Bowie and Cass Counties; providing part of each term of said court in Bowie County shall be held at Texarkana, Texas, for the trial of non-jury cases, and fixing the terms thereof; etc.; and declaring an emergency."

S. B. No. 38, A bill to be entitled "An Act amending Section 1 of Acts of 1947, 50th Legislature, page 1005, Chapter 424, (Section 1a of Article 46a, Revised Civil Statutes of Texas), prescribing certain facts relating to petitioner and child to be included in petitions for the adoption of a minor child; amending Section 6 of Acts of 1931, 42nd Legislature, page 300, Chapter 177, as amended, Acts of 1937, 45th Legislature, page 1324, Chapter 490, Section 1 (Section 6 of Article 46a, Revised Civil Statutes of Texas), relating to the written consent necessary for the adoption of a child, and providing exceptions; amending Section 9 of Acts of 1931, 42nd Legislature, page 300, Chapter 177, (Section 9 of Article 46a, Revised Civil Statutes of Texas), relating to the status of adopted children for inheritance and other purposes; amending Section 1 of Acts of 1934, 43rd Legislature, 2nd Called Session, page 300, Chapter 39, as amended by Acts of 1937, 45th Legislature, page 1324, Chapter 490, Section 2, and further amended by Acts

of 1947, 50th Legislature, page 1016, Chapter 434, Section 2 (Article 46b, Revised Civil Statutes of Texas), relating to the validation of adoptions; providing a savings clause; and declaring an emergency."

S. C. R. No. 30, Granting R. L. Roberts permission to use the State.

S. C. R. No. 43, Provision for the San Jacinto Museum of History.

S. C. R. No. 53, In memory of Rentfro Banton Creager.

S. C. R. No. 55, Suspending Joint Rules to consider S. B. No. 292 and H. B. No. 686.

S. C. R. No. 3, Granting C. L. Morgan permission to sue the State.

H. B. No. 533, A bill to be entitled "An Act providing that all funds on hand on September 1, 1951, derived from State taxes heretofore donated and granted to Lavaca County Flood Control District shall be retained by said District to be used for flood control purposes in said District; and declaring an emergency."

H. B. No. 611, A bill to be entitled "An Act providing that in all counties having a population of three hundred and fifty thousand (350,000) inhabitants or more, according to the last preceding Federal census, the commissioners' court may contract with any incorporated volunteer fire department located outside the limits of any incorporated city or town in said county for the use of fire fighting equipment and service of the incorporated volunteer fire department for the purpose of fighting fires outside the limits of any incorporated city or town within the county upon terms and conditions mutually agreed upon; providing that the commissioners' court shall pay for such services out of the general fund of the county; repealing all laws in conflict herewith, etc.; and declaring an emergency."

H. B. No. 651, A bill to be entitled "An Act amending Section 1 of House Bill 377, Chapter 357, Acts of the Forty-ninth Legislature, Regular Session, 1945, so as to provide that honorably discharged soldiers, sailors, marines, members of the Air Force and Coast Guard of the United States, nurses in military service of the United States, and all women in military service of the United States



in the different auxiliaries who served on active duty after June 24, 1950, the beginning of the war in Korea, and wives and orphans of such honorably discharged personnel of the Armed Forces of the United States, shall be entitled to preference in appointment or employment over other applicants for the same position having no higher qualifications; and declaring an emergency."

H. B. No. 612, A bill to be entitled "An Act validating orders by county judges declaring the inhabitants of certain cities setting forth the boundaries thereof, etc.; and declaring an emergency."

H. B. No. 407, A bill to be entitled "An Act establishing a Police Officers' Pension System in all cities of this State having a population of not less than one hundred and fifty thousand (150,000) inhabitants, nor more than four hundred thousand (400,000) inhabitants, according to the last preceding or any future Federal census; providing a saving clause; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 610, A bill to be entitled "An Act providing an increase in the pay of judges and clerks of general and special elections in all counties of this State having a population of more than one hundred ninety-eight thousand (198,000) inhabitants, and less than four hundred thousand (400,000) inhabitants, according to the last preceding Federal census; and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act to establish the Probate Court of Dallas County; to define the jurisdiction thereof and to conform to such change the jurisdiction of the County Court of Dallas County; and providing for the transfer of matters and proceedings from the County Court of Dallas County to said Probate Court of Dallas County, declaring the validity in the transferred cases of writs and processes extant at the time of such transfer; granting said Court certain powers; etc.; and declaring an emergency."

H. B. No. 705, A bill to be entitled "An Act amending Section 4, S. B. 231, Acts 1949, 51st Legislature, Regular Session, Chapter 255, page 471, fixing the fee for a Lake Texhoma Fishing License and for a Lake

Texhoma Ten-day Fishing License, repealing all laws or parts of laws in conflict, and declaring an emergency."

H. B. No. 712, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the counties wherein such minnows are caught, seined or taken, with certain exceptions; provided that this Act shall only apply to persons, firms, or corporations transporting minnows caught, seined, or taken from the waters of the Counties of King and Knox; providing prima facie evidence as to possession; repealing all laws in conflict herewith; providing a penalty for violation of this Act; and declaring an emergency."

H. B. No. 438, A bill to be entitled "An Act to repeal Article 6145, Revised Civil Statutes of Texas, 1925, concerning the Texas Historical Board, etc.; and declaring an emergency."

H. B. No. 579, A bill to be entitled "An Act authorizing fresh water supply districts heretofore or hereafter created under the provisions of Chapter 4, Title 128, Revised Civil Statutes of Texas, 1925, as amended, to issue revenue and combination tax and revenue bonds for the purpose of constructing, purchasing, repairing, improving and extending improvements; providing for an election as a prerequisite to the issuance of the bonds; prescribing the procedure for pledging the net revenues and the levying of a tax to pay such bonds; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 719, A bill to be entitled "An Act validating certain charter amendment election proceeding of home rule cities; and declaring an emergency."

H. B. No. 329, A bill to be entitled, "An Act amending House Bill 142, Chapter 8, Acts of the Forty-sixth Legislature, 1939, being codified as Article 705c of Vernon's Penal Code of the State of Texas, by adding Section 3a authorizing Commissioners Courts to establish rules and regulations for protection of public health; requiring approval by incorporated cities and notice of such rules; providing a savings clause and declaring an emergency."

H. B. No. 315, A bill to be entitled "An Act amending Section 2 of Sen-

ate Bill 481, Acts 42nd Legislature, Regular Session, 1931, Chapter 185, concerning the sale and patenting of lands acquired from the State of Oklahoma, abolishing the Special Land Board created therein and transferring its rights and duties to the General Land Office and declaring an emergency."

H. B. No. 316, A bill to be entitled "An Act to amend Section 1 of Senate Bill 504, Acts 45th Legislature, Regular Session, 1937, Chapter 352, concerning the leasing of land at Camp Hulen, abolishing the Camp Hulen Lease Board therein created and transferring its rights and duties to the National Guard Armory Board and declaring an emergency."

H. B. No. 717, A bill to be entitled "An Act applicable to any city which owns a portion of a bridge over the Rio Grande which is situated within the United States of America purchased with the proceeds of bonds payable from the net revenues from the operation of such bridge and which has issued refunding bonds payable from such net revenues and reserving in the city the right to issue additional bonds payable from the same source and secured by the same revenues; providing that any such city is authorized to issue bonds to the extent and under conditions provided in the trust indenture securing its outstanding refunding bonds which additional bonds shall be payable from the same source, secured by the same revenues, and in the same manner, and shall be on a parity in all respects with said issue of refunding bonds; providing that such bonds may be issued for the purpose of repairing or improving the bridge, acquiring approaches thereto, and constructing buildings to be used in connection therewith, or for any of such purposes; providing the method for the issuance of such bonds; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 317, A bill to be entitled "An Act to repeal Articles 7228, 7229, 7230, 7231, 7232, 7233, 7234, 7235, 7236, 7237, 7238, 7239, 7240, and 7241, Revised Civil Statutes of Texas, 1925; concerning the taxation of lands in unorganized counties; providing that any party who, prior to the effective date of this Act, has an existing right to appeal as provided in Article 7231 may appeal to

the Commissioners' Court sitting as Board of Equalization and shall have one hundred twenty (120) days from the effective date of this Act in which to perfect the appeal; providing a savings clause as to sales, titles and other rights which have accrued under the provisions of said articles prior to the effective date of this Act; and declaring an emergency."

H. B. No. 412, A bill to be entitled "An Act providing for the fixing of compensation of Judges of District Courts, Civil and Criminal, in counties having not less than four (4) Civil District Courts and two (2) Criminal District Courts and having a population of not less than two hundred twenty-five thousand (225,000) inhabitants and not more than three hundred ninety thousand (390,000) inhabitants according to the last preceding or any future Federal census, general or special; etc., and declaring an emergency."

H. B. No. 481, A bill to be entitled "An Act authorizing the State Highway Department of Texas to enter into agreements with the Board for Texas State Hospitals and Special Schools and/or the State Youth Development Council for the construction and maintenance of roads within the grounds of institutions under the supervision of the Board and/or the Council; providing a savings clause; and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act amending Sections 2, 3, 4, 6, 7, 8, 9, 12, 13 and 14 of House Bill No. 250, Chapter 426, Acts of the Fifty-first Legislature, Regular Session, 1949, creating a Court of Domestic Relations for Potter County, Texas; fixing its jurisdiction; conforming the jurisdiction of other courts thereto; providing the manner of selection, tenure and compensation of the judge and other officers of said court; providing the manner of and grounds for removal of the judge and clerk of said court; providing the procedure of said court; providing for the services of certain county and district officers to said court; providing a savings clause; and declaring an emergency."

H. B. No. 363, A bill to be entitled "An Act to amend Section 5, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, as amended by Section 2, Chapter 425, Acts 1947, Fiftieth Legislature, pro-

viding for the elimination of the registration fee on sidecars; also providing a savings clause, repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act to amend Chapter 103, Acts 1929, 41st Legislature, First Called Session, page 246, by the addition thereto of a new section to said chapter to be known as Section 3a, providing a method of annexing territory consisting of a whole county by Navigation Districts comprising the whole of a single county and created under authority of Article 16, Section 59 of the Constitution, or converted under Chapter 103, Acts 1929, 41st Legislature, First Called Session, page 246; providing for the Navigation Board and for the appointment of Navigation and Canal Commissioners of Navigation Districts consisting of the whole of two counties when the whole of the second county is annexed under the provisions hereof providing for the continuance of the control of Navigation Districts after annexation of a whole county by the laws applicable at the time of annexation; and declaring an emergency."

H. B. No. 406, A bill to be entitled "An Act amending Senate Bill No. 407, Chapter 128, Acts of the Regular Session of the Forty-fourth Legislature, limiting the time in which ad valorem taxes may be collected by the State, any County, Municipality, or other defined Subdivision of the State; requiring the compilation of a delinquent tax record of all taxes, the collection of which is not barred by this Act; providing for the payment to the Tax Assessor-Collector for compilation of such record; and authorizing the Tax Assessor-Collector to contract for the compilation of such record; authorizing the Comptroller of Public Accounts to prescribe the form of the delinquent tax record, repealing all laws or parts of the laws in conflict herewith; and declaring an emergency."

H. B. No. 139, A bill to be entitled "An Act amending Article 3936-h, Revised Civil Statutes of Texas, providing for salaries of certain justices of the peace and constables; providing a saving clause; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 707, A bill to be entitled "An Act authorizing the official court reporter of the Seventieth (70th) Judicial District, composed of the counties of Midland and Ector, to appoint a deputy court reporter for the Seventieth (70th) Judicial District; prescribing the duties of the deputy court reporter; providing that no money shall be expended by the counties comprising the Seventieth (70th) Judicial District of the State of Texas for the salary or other expense of such deputy court reporter; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 468, A bill to be entitled "An Act to amend Sections 5 and 7, Acts 1947, Fiftieth Legislature, Chapter 181, to provide for the appointment, election and term of office for seven trustees for County-wide Independent School Districts; and declaring an emergency."

H. B. No. 576, A bill to be entitled "An Act repealing House Bill No. 575, Acts Forty-second Legislature, Regular Session, 1931, Chapter 279, page 500; and declaring an emergency."

H. B. No. 556, A bill to be entitled "An Act amending Sections 7 and 13 of House Bill 144, Acts 45th Legislature, Regular Session, 1937, Chapter 478, as amended, so as to remove the necessity of the Secretary of State to maintain a Register of Architects; and declaring an emergency."

H. B. No. 430, A bill to be entitled "An Act repealing Acts concerning an Auditor and a Board to select the Auditor of the Prison System, etc.; and declaring an emergency."

H. B. No. 429, A bill to be entitled "An Act to repeal Senate Bill 46, Acts 43rd Legislature, First Called Session, 1933, Chapter 37, as amended; House Bill 13, Acts 43rd Legislature, Second Called Session, 1934, Chapter 15, as amended; House Bill 1, Acts 43rd Legislature, Third Called Session, 1934, Chapter 34, as amended; Senate Bill 90, Acts 44th Legislature, Regular Session, 1935, Chapter 30; Senate Bill 25, Acts 46th Legislature, Regular Session, 1939; Title: Pensions, Chapter 2; concerning Texas Relief Bonds, etc.; and declaring an emergency."

H. B. No. 710, A bill to be entitled "An Act amending Senate Bill No. 465, Chapter 182, page 455, Laws of the Regular Session (1935) of the 44th Legislature, also known and codified as Article 2790e of the Revised Civil Statutes of Texas, providing that said Art. 2790e shall not apply to counties having more than 450,000 and less than 550,000 population according to the last preceding Federal census, and declaring an emergency."

H. B. No. 339, A bill to be entitled "An Act authorizing the Oil and Gas Division of the Railroad Commission of Texas to plug improperly capped oil wells now flowing salt water into the Frio River from State Lease No. MF 8214 in McMullen County; providing an emergency appropriation therefor; and declaring an emergency."

H. B. No. 587, A bill to be entitled "An Act amending the Texas Liquor Control Act, as amended, so as to give the Board the power to adopt rules and regulations relative to the manner and method of collecting taxes on wine, including the power to determine whether or not stamps shall be affixed to the containers; providing for the possession and sale of wine without tax stamps being affixed to the containers, if such tax has been paid and other laws complied with; repealing laws in conflict herewith; fixing an effective date for this Act; and declaring an emergency."

H. B. No. 539, A bill to be entitled "An Act amending Article 1 of the Texas Liquor Control Act, as amended, by providing that it shall not be unlawful for the holder of any brewer's, distiller's, winery, manufacturer's or nonresident seller's permit to enter into a contract for the sale, purchase and delivery of liquor over an agreed period of time, if such contract is approved by the Texas Liquor Control Board or the Administrator thereof; and declaring an emergency."

H. B. No. 436, A bill to be entitled "An Act to repeal Senate Bill 50, Acts 49th Legislature, Regular Session, 1945, Chapter 68, concerning the State Board of School Safety Supervision and minimum standards for school buildings, etc.; and declaring an emergency."

H. B. No. 437, A bill to be entitled "An Act to repeal Article 2605, Revised Civil Statutes of Texas, 1925, concerning a board of visitors to attend the annual examinations at the University and its branches, etc.; and declaring an emergency."

H. B. No. 439, A bill to be entitled "An Act to repeal Article 5674, Revised Civil Statutes of Texas, 1925, concerning a cotton board to review matters relating to ginner's licenses and all rules and regulations pertaining to gins, ginning and ginners, etc.; and declaring an emergency."

H. B. No. 599, A bill to be entitled "An Act which requires filing fee and annual statement of perpetual care cemeteries be filed with State Banking Commissioner, etc.; and declaring an emergency."

H. B. No. 250, A bill to be entitled "An Act providing an open season for hunting, taking and killing quail of any species in Upshur County; fixing the days on which hunting shall be permitted; fixing the number of quail that any person may kill or have in possession at any time; fixing a penalty; repealing all laws in conflict with this Act; and declaring an emergency."

#### Bills Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent, it was ordered that H. B. No. 42 and H. B. No. 653 be not printed.

#### Adjournment

On motion of Senator Ashley, the Senate, at 12:30 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

#### SIXTY-SIXTH DAY

(Tuesday, May 8, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Colson
Ashley	Corbin
Bell	Fuller
Bracewell	Hardeman
Bullock	Hazlewood
Carney	Hudson
Carter	Kelley of Hidalgo